

DEPT: 53

DATE: 8-11-04

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO
CENTRAL DIVISION

CRIMINAL MINUTE ORDER AND COMMITMENT

COURT CLERK: L. Clay

JUDGE: Lutnam

RPTR/TAPE: W. Gonzales

CUST. STATUS: C

CASE NO: F04901785-6

DEFT: Marcus Melon Wesson

DEFENSE: PD P. Jones R. Jones

D.A. NO:

D.A. Samorano

INTERP:

P.O.

See minute order attachment for further proceedings

HRG/MTN: 9/3/04
BKG/JID #: 721378

CHARGE(S):

TC 9-1304 9 53

TRIAL 9-14-04 8:30

53 (case status) 8-30-04 9 53

995

MP Motions 8/20/04

9 53

RP

CONT TO:

FOR

ARRAIGNMENT-VOP

T/N
☐ (Re)appt. ☐ Conflict
☐ PD ☐ Barker ☐ ADO/ ☐ Ind.C./
☐ Sub in ☐ Relieved
☐ Deft. rec copy ☐ amended/Comp/Info. ☐ WR/WFA/CSR
☐ PLEA ☐ NG ☐ NGI ☐ DENIES ☐ PRIOR ☐ ENHANCEMENT
☐ T/D set w/in statutory time ☐ WTFT
☐ DA & Deft. counsel stip disc purs to PC 1054 ☐ Adv. PC 987.8
☐ Deft. ADMITS/DENIES VOP ☐ Crt finds VOP for
☐ Fail to OAL/PLEA in # ☐ Prob Revok
☐ Crt accepts admis; finds deft. KIV admit VOP for:
☐ Refer PO: ☐ Supp/Oral Rept ☐ HRO ☐ 1203C Rept
MOTIONS: *To Continue continued to 8-20-04 9 53.*
☐ Granted ☐ Denied
☐ Court/Peo. Mtn; case dism
COP/TA/HTA ☐ DEJ ☐ NOCS ☐ PC17(b)
☐ Guilty ☐ No Contest ☐ Prelim waived ☐ HTA as to

☐ Admits ☐ Enh. In Ct. ☐ priors ☐ strikes ☐ Cert to Sup.Ct.
☐ COP form signed, filed in open Crt. CRT accept Plea, find KIV made & Supp'd by factual basis. ☐ Ref PO ☐ RPO ☐ DV/PC1000 Assess.
☐ Deft. adv ☐ Serious felony enh.-PC667/PC969f.
☐ Mtn. Dismiss rem cts & alleg. Grtd. ☐ w/RTC&Rest. ☐ Arbuckle waiver
☐ Go ☐ No Go ☐ Time Est. ☐ Trail #

REJECTION PLEA-MTN WITHDRAW PLEA

☐ DA does not support plea agreement ☐ Crt rejects plea
☐ Deft. mtn w/draw plea.

RPO & JUDGMENT

☐ Orig. ☐ Supp Rept of PO read & considered ☐ Plea renegotiated
☐ Rept of Dr. *Motion* read.
☐ Deft. WFA/NLC ☐ Deft. WTFS ☐ Waives RPO & Req immed sent.
Prob: ☐ granted ☐ denied ☐ reins same T&C ☐ Mod ☐ termin.
☐ additional term ☐ yrs. ☐ Misd. Sent

LOCAL COMMIT.

Deft. waives ☐ days credit for local/all purposes.
CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
☐ Concur ☐ Consec. ☐ Parole Viol. ☐ Any other sent.
☐ Exec of sent stay ☐ yrs;
☐ IMPOS of jdg/sent susp ☐ yrs ☐ Formal ☐ Cond. Prob.
☐ Commit ☐ days Co. jail ☐ all susp./stayed except ☐ days
☐ All susp/stayed on condition deft. comply with Probation.
☐ Exec of sent. stayed to ☐ am/pm at FCJ. ☐ Pending Rev. Hrg.
☐ Ref: ☐ AOWP ☐ WFO ☐ Report to PO
☐ CFTS (Actual ☐ /GTWT ☐ /Trtmt ☐) TRD

FINE: \$

FEES: PC1202.4 (rest.) ☐ Cite ☐ Drug/DV Diversion
PC290.3 ☐ H&S 11372.5 ☐ PO rept fee
PC1203.1b \$ ☐ TTP ☐ Pay by
or \$ ☐ per mo. begin ☐ thru Court/RRD/as directed by PO.
Atty fee ☐ thru RRD by
Bkg fee ☐ payable to arresting agency.
OTHER *all agree to vacate 8/2*
Motion date as stated on the record

PRISON COMMIT.

☐ Rule 412 ☐ Prob. Denied ☐ CDC ☐ Stay lifted
☐ CYA housing - WIC 1731.5(c) ☐ CYA purs to WIC 1731.5(a)
CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
CT ☐ L/M/U ☐ YRS+
☐ PC667.5(b); 1 yr. ☐ HS 11370.2; 3 yrs. ☐ 667(a); 5yrs
☐ Tot Priors ☐ yrs ☐ Ct ☐ dbl/trpl purs to
☐ PC 654 stay: ☐ Sentence: ☐ Concur ☐ Consec.
Case# ☐ Parole Viol ☐ Any other sent.
PC 1202.4 ☐ HS 11372.5
PC290.3 fees ☐ Testing: ☐ PC1202.1 ☐ PC290.2
☐ REG PC 290.1 ☐ REG HS 11590 ☐ Recom Housing/PC2684
☐ No visitation between deft. and child victim purs to PC1202.05.
☐ Deft. advised ☐ Parole ☐ Appeal
☐ CFTS: ☐ Sent. Stayed to
TOTAL DETERMINATE YRS ☐ **MOS**

TOTAL INDETERMINATE TERM

CRC COMMITMENT

☐ Sent susp purs WIC 3051
☐ Rept Dr. ☐ read. ☐ Rec'd into evidence.
☐ Purs to stip Counsel ☐ Crt finds deft. addicted or in imminent danger
☐ Per CRC parole status ☐ of addiction to narcotics
☐ Commit to CRC purs to WIC 3051 ☐ for prev imposed term
CRC
☐ Deft. waives CRC exclusion hrg. ☐ Crt vacates civil addict commit
☐ Crim proc reins ☐ deft. on Prob 1 day & terminate
☐ SERVE TERM PREV IMPOSED ☐ CREDIT
☐ Time credit exceed term imposed, commit purs PC 1170(a)(3)
☐ Report to Parole forthwith
DIAGNOSTIC EVALUATION
☐ Crim Proc susp purs ☐ PC 1203.03 ☐ WIC 707.2 commit
☐ PC 1170(d): ☐ 120-day eval. ☐ Crt maintains jurisdiction

APPOINTMENT OF DOCTOR

☐ Crim Proc Susp.
Appt Dr. purs to ☐ WIC 3051 ☐ PC 288.1 ☐ PC 1368
☐ PC457 ☐ General sent Rept: ☐ Other
Dr. ☐ to exam deft. at: ☐ Main Jail Clinic, 2nd fl;
☐ Dr's office on ☐ at ☐ am/pm
☐ Deft. ordered to appear for Dr's appt. ☐ Report due:

COMPETENCY/SANITY FINDINGS

☐ Crt finds deft. is/is not ☐ Competent ☐ Sane
☐ Crim proc rem susp/reins ☐ Ref to Forensic M.H. for rept/recom:
☐ Deft. comm to state hosp purs to ☐ ; Transp upon receipt rept

TERMS OF PROBATION/RELEASE/SENTENCE/VOP FINDINGS-SEE BACK

☐ OAL ☐ T(ALC/NAR) ☐ SS ☐ Fin ☐ Decent FS/AFDC 6 mos/1 yr
☐ MR(PO/FSDF/FCU) ☐ AD ☐ EN(MH/ALC/NAR) ☐ SW
☐ PRGM ☐ (In/Out) patient/Batterer's trtmt
☐ SM ☐ CMS HRS: ☐ PEEP ☐ REP. PO
☐ PDW ☐ CONS ALC ☐ USE NAR ☐ MIN ☐ V ☐ FV
☐ CHK ☐ PRF PROP ☐ CO-DEFT. ☐ DMV ☐ INS ☐ DMA
REVOK/SUSP/RES
Reg: ☐ HS11590 ☐ PC 290 ☐ Protective Order ☐ PC1202.6 Testing
☐ Weapon (destroy/dispose/other: ☐)
☐

OUT OF CUSTODY DEFT STATUS:

☐ FTA: ☐ Appearing to be in VOP ☐ Remains ☐ OR ☐ FR ☐ Cite ☐ NS ☐ SB ☐ CB ☐ PB ☐ OP ☐ Released OR
☐ CB ☐ SB ☐ PB forfeited. ☐ OR ☐ FR ☐ Cite ☐ NS revoked.
BW to issue, bail \$ ☐ B/W (recalled) (filed) (held until) ☐
BOND ORDERS: ☐ Forf. vac. purs. to reassumption letter filed by ☐ SB ☐ CB ☐ PB reins. & exon.
☐ Upon payment of reins. Fee ☐ OTHER: *RJP*

IN CUSTODY DEFT STATUS:

☐ Remains ☐ C ☐ Remanded ☐ No Bail ☐ Bail set/incr./red.
☐ Released ☐ OR ☐ Cruz Waiver on record ☐ CFTS ☐ All Cts ☐ On Prob. ☐ St. Parole ☐ Purs. to PC 1170(a)(3)
☐ FSO ordered to transport Deft. to ☐ CDC ☐ CRC ☐ CYA upon acceptance
☐ State Hospital ☐ Upon available bed space, Deft. may be rel. to rep. of:
☐ Ref 4011.6 PC (72hr) ☐ Other ☐ Deft. to be trans. on Salvation Army bus for interview on ☐

DEFENDANT ORDERED TO BE PRESENT AT ALL HEARINGS